

**SUPPLEMENTAL ENTRY TO
METLAKATLA ALASKA
ENVIRONMENTAL REMEDIATION AND RESTORATION
MEMORANDUM OF UNDERSTANDING**

1. By this supplement, the Federal Aviation Administration (FAA), an agency of the United States Department of Transportation (DOT) enters into the Memorandum of Understanding (MOU) titled "Metlakatla Peninsula, Alaska Environmental Remediation and Restoration Memorandum Of Understanding" executed February 27, 1998 and March 2, 1998, between the Metlakatla Indian Community and representatives of the Bureau of Indian Affairs (BIA) and the United States Army Corps of Engineers, respectively. The FAA enters into this MOU under the terms as stated in the following goals and conditions, pursuant to its authority under 49 U.S.C. 40101, 40110, 40111 and 40112 et seq.
2. The FAA recognizes the common goals and purposes of the parties as previously set out in the original MOU. The FAA specifically recognizes that a safe, healthy human environment on the Metlakatla Peninsula is in the public interest and that a cooperative relationship between the FAA and the Metlakatla Community enhances the FAA's ability to carry out its primary function of providing for safety in air commerce. The FAA further recognizes that community input, the special knowledge and expertise of individuals in the Metlakatla community and the information and goals identified by the community in various documents such as the Master Plan for Environmental Mitigation Of the Metlakatla Peninsula shall facilitate effective and efficient use of FAA resources in addressing its own environmental remediation and restoration obligations.
3. The FAA agrees to work with all parties of the MOU to explore efficient and cost-effective means to address environmental and human health impacts of past government-related activities on the Metlakatla Peninsula. The FAA will consider funding for future environmental remediation and restoration activities on the Metlakatla Peninsula, consistent with FAA's overall budget priorities and regulatory responsibilities. If funding becomes available to support additional FAA environmental remediation and restoration activities on the Metlakatla Peninsula, the FAA will coordinate efforts with other parties to the MOU, consistent with sound procurement practices, in order to maximize the environmental benefit from available resources and minimize overall costs both to the FAA and other parties. Likewise, if funding becomes available to another party to the MOU, the FAA agrees to share information in order for that party to maximize environmental benefit from its available resources and to minimize its overall costs.
4. The FAA recognizes the Metlakatla Community's interest in use of local hire. The FAA also states that it is in the interest of the agency to use local hire when such labor sources are consistent with sound contract management and technical program needs. The FAA also recognizes the special circumstances of the Metlakatla Community as a Federally Recognized Indian Tribe and the attendant obligations to the Metlakatla Community created thereby. The FAA therefore commits to carry out its investigation, planning, restoration and remediation activities, and contract administration consistent with the status of the Metlakatla Community and

all applicable statutes, regulations and executive orders of the United States. The FAA agrees to support labor employment from the Metlakatla Community where appropriate and consistent with law and executive orders of the United States.

5. The FAA agrees to all communication agreements, meeting agreements, sharing of samples, tests and other data as stated in the original MOU. It further agrees to facilitate and cooperate in the compilation and maintenance of the repository of information set out in paragraph 10 of the original MOU.

6. Unless otherwise provided, notice to the FAA under this agreement shall be directed to:

Federal Aviation Administration
Alaskan Region
Catherine Benediktsson, AAL-471
222 West 7th Avenue, #14
Anchorage, Alaska 99513-7587

7. This shall constitute agreement by the FAA to participate in the Metlakatla Peninsula, Alaska Environmental Remediation And Restoration Memorandum Of Understanding, subject to the conditions stated herein and all laws and legal requirements, including but not limited to the Anti-Deficiency Act.

Signature indicates agreement to participate in the Metlakatla MOU:


Signature


Date

Regional Administrator, Federal Aviation Administration Alaskan Region